

2873
JFW**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

09/690,360

Filing Date

10/16/2000

First Named Inventor

Jeffrey C. Herold

Art Unit

2873

Examiner Name

Mai, Huy Kim

Attorney Docket Number

033903-009

ENCLOSURES (check all that apply)☐ Fee Transmittal Form☐ Fee Attached☒ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/
Incomplete Application☐ Reply to Missing Parts
under 37 CFR1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board
of Appeals and Interferences☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s)
(please identify below):

postcard

Remarks**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm

Thelen Reid & Priest LLP

Signature

Printed Name

Robert E. Krebs

Date

8/16/05

Reg.
No.

25,885

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

Annette Valdivia

Date

8/18/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent

Application of: Jeffrey C. Herold
Application No.: 09/690,360
Filed: October 16, 2000
For: FLIP-UP EYEWEAR

Group Art Unit: 2873
Examiner: Mai, Huy Kim

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 20231-1450, on the date printed below:

Date: 8/18/05

Name: Annette Valdivia
Annette Valdivia

MS Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 20231-1450

Sir:

RESPONSE TO OFFICE ACTION

This Amendment is submitted in response to an Office Action mailed May 23, 2005.

Remarks begin on page 4 of this paper.